

Men's Pongee Underwear
Real 59c Garment, Special 44c

These garments are pure white, permanently mercerized, delightful and cool; short sleeve shirts; knee-length pants. A rare opportunity for real economy.

Men's Dollar Shirts, 79c
Not an ordinary looking shirt. These patterns are controlled by us; well made and an extra good fitting shirt that you would ordinarily pay a dollar for.

Miller & Rhoads

SEEK TO CONTINUE
BATHTUB CASES

Believed Defendants Will Try to
Defer Issue of Permanent
Injunction.

The Federal government will seek to-day, in the Circuit Court of the United States for the District of Maryland, in special session in Richmond, to have made permanent a temporary injunction against the so-called bathtub trust to prevent the alleged combination of interstate trade and commerce in sanitary enameled ironware. The defendants, it is presumed, will make a further effort to have the case deferred, pending the outcome of the criminal trials which will be heard in Detroit, Mich. They have made several motions of this character, though the statute under which the litigation is progressing is that in such cases of criminal and civil suits must be entered simultaneously and proceed together.

The suit, which is one in equity, was instituted in Baltimore and brought under section 1 of the Sherman anti-trust act (24 Stat., 209), to restrain the continuance of certain conspiracies and agreements alleged to be in restraint of interstate commerce.

Parties Indicted.
The defendants consist of thirty-four individuals and sixteen corporations. The same individuals and corporations were indicted on December 7, 1910, by the Federal grand jury for the Eastern District of Michigan, charged with having combined and conspired to restrain trade. The indictments and the bill in equity relate to the same transactions.

It was arranged to hear the suit in Richmond, though instituted in Baltimore, purely for convenience. The United States Circuit Court of Appeals is now in session here, and both members of the circuit bench, Judges Goff and Pritchard, are present. District Judge John C. Rose, of Baltimore, was designated to sit with Judges Goff and Pritchard, it being required by law that three members of the judiciary hear such cases.

Should the court decline to continue the case, it is probable that counsel will begin arguments upon the merits of the case, and the case will be completed this task of taking evidence.

The government will be represented by Edwin P. Grosvenor, special assistant to the Attorney-General of the United States, while Noble Jackson, Esq., of New York, will appear for the so-called trust.

HAVE MEMORIAL SERVICE

Railroad Trainmen Will Gather Sunday Night at First Baptist.

On next Sunday night, at 8 o'clock Rev. George W. Metcalfe, pastor of the First Baptist Church, will conduct the annual memorial services of the Brotherhood of Railroad Trainmen. Memorial services will also be conducted by the organization on this date throughout the United States and Canada. The organization is represented in this city by three lodges, comprising a membership of about 500 employed on the various railroads entering Richmond.

The Brotherhood of Railroad Trainmen is the largest railway labor organization in the world, scattered over every State in the Union and the Dominion of Canada, with a total of 346 subordinate lodges, representing a total membership of over 118,000 members engaged in train and yard service.

It has wage agreements and working conditions on practically every railroad in the United States, covering an area of approximately 225,000 miles of track.

A committee composed of M. H. Dyeon, P. P. Mills and W. C. Kirby, is in charge of the memorial services.

BECK IS UPHELD

Smithfield Building Owners Must Repair Elevator.

Police Justice Crutchfield yesterday upheld the action of Building Inspector Beck in regard to the elevator doors in the Smithfield Building at Ninth and Broad Streets. G. M. Smithfield being instructed to make the necessary repairs at once. He had been so notified previously by the Building Inspector and had failed to comply, and so the case was reported to the Police Court. Mr. Smithfield protested that Mr. Beck had written him a threatening letter, but the Police Justice decided that the elevator must be repaired in ten days or the building closed.

Will Appeal Case.
Bills of exception were filed yesterday in the Law and Equity Court in the suit of Mary Virginia Ligon, administratrix of W. O. Ligon, against the Virginia Railway and Power Company, with a view of taking an appeal from the jury verdict.

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Loans made on Real Estate.
Open an account with us and we will help you to build up your future.
One Dollar starts an account.

ACCOUNTS SOLICITED

HIGH SCHOOL ENDS
SUCCESSFUL TERM

Emanuel Wallerstein Wins
Scholarship at University
of Virginia.

GOVERNOR MANN SPEAKS

Girl Faints With Joy at News
That She Is an Honor
Pupil.

Before an audience which practically filled the City Auditorium, fifty-five graduates of the John Marshall High School last night received their diplomas. This number embraces two classes, those who completed their course last January and those who ended their studies in June. The latter class was the first to complete the newly-prescribed four-year term.

The feature of last night's event was an address by Governor Mann, while the class valedictorian, William J. Parrish, Jr., won much applause by the delivery of his oration. Though the salutatory was prepared by Miss Alice F. Spiera, that student was unable to deliver it on account of throat trouble, and her miss was read by Miss Pauline Anna Harmon.

University Scholarship.
Following the award of diplomas by Charles Hutzler, chairman of the City School Board, James C. Harwood, principal of the High School, presented to the honor pupils the various scholarships. The most cherished of these, that to the University of Virginia, which goes to the graduate who leads his class, was won by Emanuel U. Wallerstein. Maurice Leon Hutzler stood second in the class, but as he took the commercial course he was not eligible to a scholarship. Other scholarships were awarded as follows:

Washington and Lee University, William Gordon Gibson, Richmond College, Howard I. May, William and Mary College, Clyde Cannon Webster, Hampden-Sidney, William Joseph Parrish, Jr.; Sweetbriar College, Miss Louise Page Welsher; Randolph-Macon Woman's College, Miss Eliza Inez Williams; William Franklin Harwood Scholarship in Richmond College, Miss Alice Frances Spiera; E. Carrington Cabell Scholarship in Richmond College, Miss Margaret Louise Clendon; William Williams College, Miss Eliza Inez Meredith; Art Club of Richmond, Miss Louise Kyle Baldwin.

Award of memberships in the Rosemary Library to honor pupils were as follows: Miss Louise Welsher, Henry Garrett, Miss Louise Goff, Miss Mary Humphreys, Miss Gladys Burnell, Irving White, Miss Grace Rollins and John Pollard Cox.

Honor Pupil Faints.
The announcement that she was one of the honor pupils proved such a shock to Miss Rollins that as she exercised came to an end that young woman fainted. She had to be carried from the stage by friends, but she quickly recovered.

Pressure Increased.
The cost was \$1,527.25, for which Mr. Chesterman asked that he be reimbursed. A year or more ago, he said, the city had brought the high pressure service further downtown, making his outlay unnecessary. Superintendent Davis said that this was reducing valves the pressure at Adams and Franklin had been increased to about thirty pounds, while the high pressure Mr. Chesterman has is twice that. Mr. Davis said that the four-inch pipe was of no value to the city, and that the underground would not allow fire plugs to be attached to it.

Chairman Mills reminded Mr. Chesterman that the whole transaction had been a matter of contract, asked by Mr. Chesterman, with the distinct understanding that he was to bear all cost. There had been a number of similar extensions, Chairman Mills said, and if one was to be reimbursed, the same course would be taken in all cases, notwithstanding the fact that the petition was rejected unanimously.

Contract for iron pipe for the department was awarded to the Clamorgan Pipe and Foundry Company. Bids were opened for a system of pumps and electric motors for the stand pipe service, and referred to a special committee consisting of Messrs. Mills, Hobson, Lumsden and Mitchell, with Engineer Trafford and Superintendent Davis to tabulate and report later.

SOUTHSIDE SITUATION

Committee Will Confer With Chairman
of Board of Health.

As soon as City Chairman Mills M. Martin, of the Richmond Democratic Committee, returns from New York, where he was last night, he will have a conference with the committee appointed by the Washington Ward Committee to investigate the health situation. He previously expressed the opinion that South Richmond must vote for members of the House from Manchester, Chesterfield and Powhatan. It is contended to be recorded in the fact that Major Martin's contention will be upheld. He expects to be back in the city by Saturday.

Dr. Jennings Resigned.
Dr. W. E. Jennings, resident physician of the Catholic Sanatorium for Consumptives, has tendered his resignation to the State Board of Health, to become effective July 7. Dr. Jennings intends to resume general practice. He was appointed in February. Dr. John J. Lloyd, Jr., assistant resident physician, will be in charge until the State Board of Health elects a physician at a meeting to be held in July.

Memorial Service, To-Night.
About Ten Hundred Lodge No. 210, Independent Order of Odd-Fellows, will hold memorial services in its lodge room to-night. Rev. W. R. Turwell will make the address. The first degree will also be exemplified.

Motion for Judgment.
Motion for judgment was docketed yesterday in the City Circuit Court by the American Fidelity Corporation against E. M. Everett for \$124.

CLERK IS STABBED
IN STREET FIGHT

Peacemaker Between Men and
Boys Gets Worst of It,
as Usual.

ASSAILANT IS ARRESTED

Says He Is Glad of Occurrence.
Pocket Knife Was
Weapon.

In an effort, it is alleged, to act as peacemaker between Ashton Mahone and F. B. Watkins and two small boys who were playing ball on the street, Isaac Wasserman, employed in the pawn shop of Aaron Gellman, 212 West Broad Street, was severely stabbed shortly after 2 o'clock yesterday afternoon by Mahone, who immediately escaped, only to be arrested later.

According to the evidence which could be learned, two boys were throwing a ball on the awning in front of the Gellman store and catching it as it came down. As Watkins and Moore came by the ball struck Watkins. It is said, and the two men began cursing the boys. Wasserman interfered, and a row started immediately. Mahone is alleged to have drawn a pocket knife, which, during the melee, fell to ground. A cousin of Wasserman's, who held the knife, picked it up, but Mahone held on to the left side and on the hand. Wasserman used a broken tin pan in self-defense, and Mahone exhibited resistance to show that he had been struck.

Caught at His Home.
Watkins was arrested almost immediately by Mounted Policeman Allen, but Wasserman stated that Watkins had nothing to do with the assault, and he was held only as a witness. Mahone escaped, but was caught within thirty minutes by Detective Kregel, who arrested him as he was going into his home on Twenty-first Street, between Broad and Grace Streets.

"Did I cut him?" asked Mahone when the officer placed him under arrest.

"You certainly did," replied the detective.

"Well, I'm glad of it," said Mahone.

Wasserman, though painfully injured, probably not seriously, was attended by Dr. Charles A. Blanton.

RAILWAY SURGEONS

Norfolk and Western Physicians Meet To-day at Jefferson Hotel.

Norfolk and Western Railway surgeons met this morning at the Jefferson Hotel for their fourth annual convention. A number of important papers are to be read, and the convention opens this morning with the address of President Southgate Leigh, of Norfolk, who will speak on "Thoroughness as a route for Norfolk."

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Recovers from Operation.
Fairfax Courtney Jones, who was operated on Tuesday at St. Luke's Hospital, was reported last night to be recovering.

Y. W. C. A. CANVASS
FOR NEW BUILDING

Month of February Set Apart
for Prosecution of Vigor-
ous Campaign.

For the purpose of securing not less than \$150,000, to be used in building and equipping a new association, the board of directors of the Young Women's Christian Association has determined to devote the month of February, 1912, to the work of canvassing the city. This decision was reached at the regular meeting of the board, held on Tuesday.

The exact sum to be raised has not yet been settled upon, but it is certain that not less than \$150,000 will be needed. Committees will be enlisted, and the entire city thoroughly canvassed. The autumn and early winter months will be devoted to making preparations for the building campaign.

Temporary headquarters for the Young Women's Christian Association, at the northeast corner of Fifth and Grace Streets, are now being fitted up, and will be ready for occupancy by next Monday. In addition to an office there will be a tea room, a lunch room and a rest room there, but naturally the extent of the work will be limited. The old building which was sold, was vacated last month.

When autumn comes and the summer quarters in the suburbs are abandoned, efforts will be made to secure a boarding house fit for the purpose. The place can be found, and the work must be carried until a new building can be erected.

Struck by Taxicab.
Lloyd Spilway, a messenger boy, living at 212 Denny Street, Fulton, was struck by a taxicab yesterday afternoon at Eighth and Main Streets. His bicycle was wrecked, and he was practically uninjured. He was taken home by the chauffeur of the taxicab, George W. Woodward.

Another Man Missing.
Mrs. D. P. Korneaux, of 21 South Pine Street, reported yesterday that Shakespeare Reiley, formerly of Wilmington, Del., was missing. She describes him as being fifty years old, of dark hair and complexion, and six feet two inches in height.

Henrico Marriage License.
A marriage license was granted yesterday in the office of the clerk of the Henrico County Circuit Court to Florence C. Walker and James S. Flood.

The Bankers' Convention

Is in session now at Hot Springs, Virginia. Banking men from all sections of the country are gathering there to discuss financial questions of the day.

That banking laws may be revised, that money problems may be adjusted to meet the needs of the people, the Virginia Bankers meet once a year.

The American National Bank

endeavors every day in the year to carry out these same principles in regard to its patrons and their interests. That is the reason we number among our assets

THOUSANDS OF SATISFIED CUSTOMERS

COURT SHOULD NOT
EXPRESS OPINION

United States Tribunal Sends
Foster Case Back for
New Trial.

THOUGHT DEFENDANT GUILTY

Disagreeing Jury Thereupon
Convicted—Not Permitted in
State Courts.

That the court exceeded its power by making an expression of the guilt of the defendant, after the case had been submitted to a jury, and at a time when the jury had failed to agree, was the gist of an important and sweeping opinion handed down yesterday morning in the United States Circuit Court of Appeals. The opinion was prepared by Circuit Judge Pritchard and concurred in by District Judges Dayton and Connor.

The case was that of J. D. Foster, plaintiff in error, against the United States, a writ of error to the District Court at Roanoke, Va. The defendant was charged with illicit distilling and retailing, and was also charged with assisting in the removal of liquor declared to have been illegally manufactured from the place of distillation. At the trial before Judge H. C. McDevitt the jury disagreed, and the court expressed the opinion that the defendant was guilty, coupled with the qualification the jury was not to be bound by the opinion of the court, saying that the jurors were the sole judges of all questions of fact.

Exceeded Powers.
The higher court held that while a Federal judge may express an opinion as to the guilt of a defendant, if in doing so he exercises the power of the time the charge is given to the jury. However, inasmuch as it appeared in this case that the court expressed an opinion as to the guilt of the defendant after the matter had been submitted to the jury, and at a time when the jury had failed to agree, the court below exceeded its power in so doing, and the case was reversed and remanded for a new trial.

From the facts in the case it is learned that the judge had expressed his opinion the jury retired to its room and in a short while returned a verdict of guilty.

"While it is true that the learned judge stated to the jury that they were not to be bound by his opinion, it is equally true," the opinion says, "that the jury was not permitted to express an opinion as to the guilt of a defendant. Our people have become accustomed to this system, and jurors always attach great importance to the expression coming from the presiding judge, feeling, as they do, that it is only in exceptional cases that he expressed an opinion as to any matter that may be submitted to them, and when he does they feel that they are bound by the same. Under these circumstances, an expression of opinion from a Federal judge in this circuit necessarily carries more weight than would the opinion of a Federal judge sitting in the State courts. While the learned judge who heard this case is a low employed language that clearly informed the jury that they were not bound by any expression that he may have made, nevertheless the circumstances surrounding the trial of this case were such as to impress upon the conclusion that the jury was influenced in a large measure by the opinion of the court. It may be that in many instances jurors refuse to find defendant guilty, notwithstanding the fact that the evidence is such as to justify them in doing so, and thus permit those who are guilty to escape punishment."

"While this is to be deplored, yet the rule which leaves all questions of fact to be passed upon by the jury, the greatest caution should be used in the exercise of this power, and the jury should be left free and untrammelled in the determination of questions of fact which are to be passed upon by them, and in no instance should the trial judge express an opinion as to the guilt of the defendant after the case has been submitted to the jury and at a time when they have failed to agree as to their verdict."

CHECKING UP HOOKWORM

Local Authorities Now Co-Operating in Work for Its Eradication.

Inspectors of the State Health Department have been engaged during the last week in checking up the results of the campaign against hookworm disease in the counties of Nansemond and Southampton counties, and have found very encouraging reports of conditions in the State. The campaign has been profiting by the work previously done in these counties by the inspectors, local authorities have been co-operating in the work, and there has been a marked improvement in the health of the counties.

Other inspectors of the Health Department are working in new fields, and report that public interest in the war on the so-called "American murderer" is increasing daily. A most important indication of the progress is the number of specimens sent for examination to the State Laboratory for hookworm.

The number has doubled in the last month, and is daily more confident that the campaign against hookworm will result in its ultimate eradication from Virginia.

Settled Out of Court.
The suits of James W. Morton and Rosa Wiford Morton against the Richmond Transfer Company were dismissed from the docket of the City Circuit Court yesterday on motion of the plaintiff's attorneys, having been settled out of court. The terms of the compromise settlement were not announced.

\$16.50 For Suits Worth Up to \$28.00

A sale that represents a special purchase of High-Class Suits to which we have added the small lots from our regular stock.
Did you get one of the \$3.50 Straw Hats at \$1.65? If not, get in to-day if you can.

Gans-Rady Company

POLLUTED SPRING
CAUSED TYPHOID

MUST TEAR DOWN
MONTICELLO HALL

Epidemic in Lee County Illus-
trated Necessity of Inspec-
tion.

Decision in Much Contested Case
Is at Last Rendered in
Police Court.

That a serious local epidemic of typhoid fever in Lee County was due to the pollution of a spring, and that this illustrates the necessity of careful attention to the condition of private water supplies, is the substance of a report filed yesterday by Dr. Allen W. Freeman, Assistant Commissioner of Health.

Dr. Freeman was sent to Lee County, in accordance with the policy of the State, to investigate every outbreak of fever. He found that a case of typhoid had come to the community from a seepage, and, through neglect of the proper precautions, a number of people in the house with the patient became infected. The spring and this water was used at the local church and school. As a result typhoid fever broke out in the locality, every case of which could be traced to the first imported case.

In discussing the report yesterday morning, Dr. Freeman declared that the spread of typhoid fever in this epidemic was typical of the method by which many of the ten thousand cases occurring yearly in the State originated.

"The neglect of a single case," he said, "and disregard for the precautions which have been so frequently violated, inevitably crushed the infection of other members of the household. Similar neglect and the pollution of soil around the house made the spring a sure source of infection. Every one who drank the water was liable to infection. The Health Department has issued a great deal of literature on typhoid fever, and has suggested precautions which render the spread of typhoid practically impossible. The State has also issued detailed directions for the protection of springs and wells, which, if observed, give insurance against contamination. If these are followed there is little reason why water-borne epidemics of typhoid should occur in the country; if these are neglected, epidemics cannot be prevented."

ELECTION TO-NIGHT

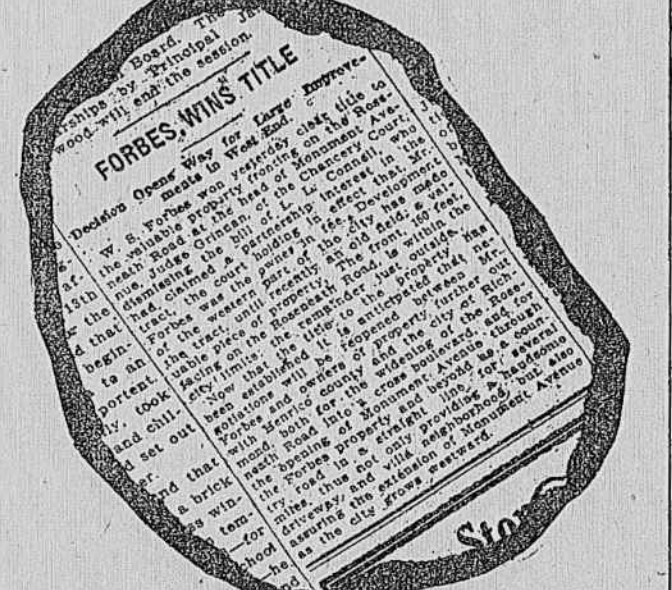
Mayor Approves Ordinance Changing Method of Selecting Market Clerks.

Mayor Richardson yesterday approved the ordinance providing for the election of clerks of the markets by the Council Committee on Markets instead of by a joint session of the City Council. The ordinance also provides for the appointment of acting clerks during illness or absence of the regular officials.

The Market Committee meets to-night to elect a clerk of the First Market under the terms of the new ordinance, to succeed the late Captain Sullivan. Since the death of Captain Sullivan the market has been in charge of Acting Clerk Garrison, who, it is believed, will be elected.

The ordinance also gives the Market Committee another power of supervision over the work of the market clerks, and it is believed will result in a material improvement in conditions about the markets.

Now Watch Monument
Annex Values Jump Higher



The property referred to in the above article from Tuesday's Times-Dispatch is the only property between the present city limits and Monument Annex.

But before the above happened the owners of Monument Annex forewarned the rapid development ahead, and raised the price on all Monument Annex lots, to take effect July 1, 1911.

Think of the above. Think of a new street car extension to Rosemead Road and Kensington Avenue. Then think of the dividends ahead.

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1110 East Main Street, or Your Agent.

Attractive Summer Re-
sort matter to be had for the
asking.

RICHMOND TRANSFER CO.,
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Washington and Lee
Summer Law School

Lexington, Va.
Session opens July 1 and closes September 1. For further particulars address DR. GEORGE H. DENNY, Lexington, Va.